Jeopardy Assessment

for the Proposed Incidental Taking Authorization
of the Wood Turtle

American Transmission Company
Cranberry-Conover-Plains 115-138 kV TRANSMISSION LINE PROJECT
Vilas, Forest and Florence Counties, Wisconsin

Background

The State threatened Wood turtle is found throughout northern and west-central Wisconsin. The species is documented from 45 counties in the state with just over 250 known occurrences. The statewide range has changed little over time but populations appear to be depressed from historic levels. Wood Turtles are active between mid-March and mid-October and tend to forage in lowland hardwoods and upland deciduous mesic to wet-mesic forests and open wet meadows and riparian grassy areas during the summer. Breeding typically occurs within or in close proximity to the water in spring and fall but can occur in any month. This species is often a communal nester and will typically lay eggs during June. Nesting areas tend to be within 200 feet of the stream, the majority of them being within 100 feet. Incubation is approximately 55-70 days, therefore, eggs hatch between August and mid-September.

Jeopardy Assessment

The route for the Cranberry-Conover-Plains Transmission Line Project is along new and existing ROW that will be constructed across several waterways that support suitable habitat for the state-threatened Blanding's turtle. American Transmission Company LLC and ATC Management Inc (collectively ATC) is constructing approximately 49 miles of 115-138 kilovolt (kV) transmission line generally located on existing right-of-way (ROW) between the existing Cranberry and Lakota Substations in Vilas County and the Conover and Plains Substations in Vilas, Florence and Forest Counties. The Project will utilize a combination single-circuit steel monopole design along the majority of its route. The project was originally scheduled for construction in suitable wood turtle habitat areas during the turtle's hibernation period from approximately mid-October to mid-March. However, in part due to delays because of additional environmental analysis needed for the route through the Chequamegon – Nicolet National Forest and timing restrictions for the protection of trout habitat, the order of construction has been changed. ATC wishes to initiate construction in six suitable wood turtle habitat areas prior to October 15, 2008. Although the installation of fencing to exclude wood turtles from the construction areas is a suitable avoidance measure, fencing must be installed prior to the turtle's active period beginning March 15. Exclusion fencing installed after that date is not adequate at excluding turtles from the work area since it is difficult to search and remove turtles in densely vegetated areas. The conditions provided below will be employed to help avoid or minimize the taking of the turtle if/when this authorization is issued. The conditions will apply to turtle sites WT12, WT18, WT19, WT20, WT22, and WT23 identified as suitable turtle habitat.

Incidental take of the wood turtle, which is expected to be extremely low – if it occurs at all, is unlikely to impact the status or recovery potential of the affected local populations. In addition, it is not expected to impact the statewide recovery potential of this species because this species is still widely distributed across its historic range. Therefore, the Department has determined that the proposed project is not likely to jeopardize the continued existence of the state population of these turtles or the whole plant-animal community of which they are a part.

Conditions of the Authorization

1. Vegetation clearing and construction activities will be reduced to the minimum extent feasible without compromising the safety and constructability of the project.
2. Herbicide may not be used for vegetation clearing for construction or maintenance activities unless the Department approves otherwise.
3. Isolation fencing will be installed to a distance of 200 feet from the five stream corridors or as depicted on the Department-approved fencing diagrams and according to the following specifications:
    (a) A qualified herpetologist familiar with the species and its natural history will be on site during fence installation.
    (b) Turtle fencing will be installed to a height no less than 16 inches and to a depth no less than 6 inches below the ground surface.
    (c) The ends of the fence will be turned back according to the Department-approved fence layout.
    (d) The fencing will be inspected twice weekly on non-consecutive days through October 15 to ensure the integrity of the fence. Repairs will be made within 24 hours of discovery. Maintenance of fencing must be resumed on April 1 if construction activities extend beyond that date.
    (e) Fencing removal must occur within 14 days of final grading and seeding.
4. A qualified herpetologist will conduct a turtle removal within each fenced area after all fencing is installed. Survey effort will involve a careful inspection of the entire fenced in area to maximize the opportunity to move turtles out of harms way. All turtles found within a fenced area must be identified to species, photographed and released immediately outside of the fenced area. All sighting and removals must be reported to the Department in a report that summarizes survey efforts (time actually spent on turtle surveys). The herpetologist does not need to be on site for any work thereafter.
5. Any turtles found within the construction area after the turtle removal will be moved immediately outside the construction zone by or under the direction of the project's environmental manager. All wood turtles encountered are to be reported to the Department, with precise locality data, within 48 hours.
6. Low impact vegetation clearing methods, such as hand clearing or a track-mounted hot saw (to avoid need for skidding logs), will be used as appropriate within suitable turtle habitat.
7. Alternative construction access routes will be used when available.
8. A GIS file will be provided to the Department's herpetologist identifying all suitable wood turtle habitat sites identified along the project route during ATC's surveys.
9. Sites will be restored to pre-construction conditions upon conclusion of construction activities.